

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

HORACE SMITH.

Defendant,

and

O'CONNOR & ASSOCIATES,

Garnishee.

No. _____

8-11 CV1049 - M

WRIT OF GARNISHMENT

To: O'Connor & Associates
and its affiliates, successors, or assigns
Amanda King, Human Resources Department
2200 North Loop West, Suite 200
Houston, TX 77018

An Application for Writ of Garnishment seeking property belonging to or due Defendant Horace Smith (Smith), who is a judgment debtor of the United States of America (United States), and/or his spouse, LaShonta R. Odom, was filed with this Court.

Computation of the debt as of May 13, 2011 is:

\$162,553.96	Judgment amount
(\$ 7,695.91)	Credits applied to judgment
\$154,858.05	Debt balance

Pending further order of this Court, you shall withhold and retain all property, including disposable earnings, in which Smith and/or his spouse has a substantial nonexempt interest and for which you are or may become indebted to Smith and/or his spouse. *See* 28 U.S.C. § 3205(c)(2)(F). Do not deliver funds to the United States District Clerk at this time. Instead, withhold and retain the property until the Court orders its distribution. *Id.*

You are required by law to file an answer within ten days of your receipt of this writ advising the Court whether you hold or will hold substantial nonexempt property for Smith and/or his spouse, and mail or deliver the original answer to the United States District Clerk, 1100 Commerce Street, Room 1452, Dallas TX 75242; and mail copies to Horace Smith, 801 Candle Meadow Blvd., Desoto, TX 75115-1504; LaShonta R. Odom, 801 Candle Meadow Blvd., Desoto, TX 75115; and Mattie Peterson Compton, Assistant United States Attorney, Burnett Plaza Suite 1700, 801 Cherry Street Unit 4, Fort Worth, TX 76102-6882. *See* 28 U.S.C. § 3205(c). Additional information is included in the attached Plaintiff's Instructions to Garnishee.

If you fail to answer this writ or withhold property in accordance with this writ, the United States may petition this Court for an order requiring you to appear before this

Court to answer this writ and withhold property before the appearance date. *See* 28 U.S.C. § 3205(c)(6). If you fail to answer, or appear and fail to show good cause why you failed to comply with this writ, the Court shall enter a judgment against you for the value of the substantial nonexempt property, including disposable earnings. *Id.* The Court may award a reasonable attorney's fee to the United States and against you if this writ is not answered by the time specified by law and a petition is filed requiring you to appear. *Id.*

Under 15 U.S.C. § 1674, you are prohibited from discharging Smith and/or his spouse from employment by reason of the fact that earnings are subject to garnishment. If you discharge Smith and/or his spouse as a result of this garnishment, penalties may result.

Signed this 24th day of May 2011.

Deborah K. Pace
UNITED STATES DISTRICT CLERK - Deputy Clerk
NORTHERN DISTRICT OF TEXAS